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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,310	02/18/2004	David Whyte	RSDW	6161
7590	01/19/2006		EXAMINER	
Robert Samuel Smith 1263 Emory St. San Jose, CA 95126			TRAN, KHOI H	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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NOTICE OF FAILURE TO FULLY RESPOND TO
NOTICE REQUIRING EXCESS CLAIMS FEES
No New Time Period for Reply is Provided

The reply filed on 1-4-06 is not fully responsive to the Notice Requiring Excess Claims Fees mailed on 11-23-05 because the required fee(s) has not been paid. The fee(s) listed below must be timely filed to avoid abandonment of this application. The time period for reply continues to run from the mailing date of the Notice Requiring Excess Claims Fees. No new time period for reply is provided in this communication.

If the period for reply set forth in the Notice Requiring Excess Claims Fees has expired, this application will become **ABANDONED** unless applicant: (1) corrects the deficiency, and (2) obtains an extension of time under 37 CFR 1.136(a), within SIX (6) MONTHS from the mailing date of the Notice Requiring Excess Claims Fees.

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee due. The expiration of the time period is determined by the amount of the fee paid.

TOTAL EXCESS CLAIMS FEES DUE \$125.00 (See note below.)
Applicant must also submit the appropriate extension of time fee as set forth in 37 CFR 1.17(a).

Explanation (Provide specific details of fee(s) required (e.g., credit card authorization refused; service charge(s) not remitted; amount of fee(s) due has changed, etc.)):

NOTE: THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.17, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>.

Wanda Brown (571) 272-6577
Technical Support Staff (TSS)

Note to TSS: Please do NOT use this Notice unless a Notice Requiring Excess Claims Fees (PTOL-319) has already been mailed.